

Operation Black Crown
Prepared Remarks for U.S. Attorney Preet Bharara
February 10, 2011

Good afternoon. My name is Preet Bharara, and I am the United States Attorney for the Southern District of New York.

Last May, when we announced federal charges against 78 Newburgh gang members, I stood here and said that we were trying to bring new hope to Newburgh. I also pledged that it marked only the beginning, not the end, of our commitment.

In the nine months since that unprecedented law enforcement sweep, dedicated agents, officers, and prosecutors – only some of whom you see here – have been working non-stop to make good on that promise.

Today, we unseal a Superseding Indictment with new charges against members and associates of the Latin Kings gang in Newburgh – 15 of them are federally charged for the first time. Among other things, the Indictment charges members of the gang with three murders – two of those occurred in a shocking 24-hour period in March 2010, events which brought national attention to the City's spiraling violence problem.

In a veritable catalogue of crime, the Indictment also charges certain Latin Kings with attempted murders, attempted robbery, assault, witness tampering, narcotics conspiracy, and firearms possession.

We have brought to Newburgh, New York, for the first time in memory – and perhaps ever – one of the most powerful federal tools available – the RICO statute, alleging that the Kings in Newburgh are a Racketeer Influenced and Corrupt Organization.

Because gang violence and drug dealing on the streets of Newburgh remain intolerable, we mean to and we must put an end to the scourge that calls itself the Latin Kings. They are ruthless and resilient, and as alleged, they have the blood of an innocent child on their hands.

But as a result of the efforts of the good citizens of Newburgh, dedicated law enforcement groups at every level of government, and this Office, we have taken another step forward in gutting the Newburgh Latin Kings.

Before I get to the details, let me introduce and thank our partners in this case. I am joined here today by:

- the FBI, led by Special Agent-in-Charge of the FBI New York Field Office's Criminal Division, Diego Rodriguez;
- the Orange County District Attorney's Office, led by the District Attorney, Frank Phillips;
- the City of Newburgh Police Department, led by Chief Michael Ferrara;
- the New York State Police, represented by Lieutenant Frank Kealty;

- the ATF, represented by Group Supervisor Thomas Kelley;
- the DEA, represented by Assistant Special Agent-in-Charge, Chris Roberts; and
- ICE, Office of Homeland Security Investigations, represented by Deputy Special Agent-in-Charge, Glenn Sorge and Assistant Special Agent-in-Charge Anthony Scandiffio.

I want to congratulate the many dedicated law enforcement officers of the Hudson Valley Safe Streets Task Force and the City of Newburgh Police Department who worked so hard on this investigation, including FBI Special Agent Jose Flores, ATF Special Agent Andy Boss, Detective Charlie Nyland of the Middletown Police Department, Detective Joe Strack of the City of Newburgh Police Department. Special thanks to Supervisory Special Agent James Gagliano of the Goshen Office of the FBI, who has been a driving force to get us to this point.

Finally, I want to commend the outstanding work of the career prosecutors on this case: Assistant United States Attorneys Benjamin Allee and Nicholas McQuaid, supervised by Diane Gujarati and Michael English, the Chief and Deputy Chief of our White Plains Division, and Assistant District Attorney Matthew Healy of the Orange County District Attorney's Office.

Let me turn to the Indictment. The Superseding Indictment charges 31 defendants in 42 counts. It alleges that these individuals were either members of, or associates of or suppliers to, the Newburgh branch of the Almighty Latin King and Queen Nation, also known as the "Latin Kings." As alleged:

- They peddled virtually every type of narcotic in Newburgh they could get their hands on – heroin, crack cocaine, powder cocaine, marijuana. You name it; they sold it.
- They used brutal violence to protect their drug territory, to sow intimidation and fear, including in rival gang members, and to enforce discipline.
- To further their goals, they would beat, stab, and kill those who got in their way.

In all, twelve defendants are charged with racketeering offenses. Among those offenses are three homicides, as I mentioned.

- One is the tragic murder of Jeffrey Zachary on May 6, 2008. Jeffrey's killing is a sobering reminder that the Latin Kings are as reckless as they are ruthless, because Jeffrey was just an innocent bystander that day, accidentally killed when members of the Kings were trying to shoot someone else – Jeffrey was just 15;
- Another is the murder of Jerome Scarlett, also known as Rude Boy, in the vicinity of Farrington and Lander Streets on March 11, 2010, during another attempt to shoot someone else – Scarlett was just 20;
- Third is the murder of John Maldonado, also known as Tarzan, the very next night, March 12th, in a brutal conspiracy involving six defendants, in the vicinity of Little Monument Street and Benkard Avenue – Maldonado was 21.

The violent acts also included the attempted murders of two rival gang members in November 2009 and January 2010, respectively, the stabbing of a man suspected of cooperating with law

enforcement also in January 2010, and an attempted robbery in the neighboring town of New Windsor.

The criminal activities alleged in today's Indictment demonstrate the terrible reach of a violent gang. An innocent 15 year-old boy was shot to death. Two more young men were murdered in a twenty-four hour spree of violence. Shots were fired across the City at all hours of day and night. Entire blocks were controlled by gang members, running drug markets with guns on hand.

As I have made clear repeatedly, the prosecution of violent criminals in Newburgh and elsewhere is a top priority. In fact, nothing we do in this Office is more important than our efforts to ensure that mothers do not have to live in daily terror that one of their boys will be the next gang casualty, cut down by either an errant or intended bullet. As I said last year, children should be playing – not dying – in the streets.

This investigation and prosecution show that the entire law enforcement community has joined in the commitment to ending violent gangs in Newburgh.

The elimination of the Latin Kings will not alone bring about renewal and rebirth in Newburgh, but until we fully restore of the rule of law, other positive change cannot take permanent root. The goal is not simply justice, but sustainable justice, to keep historic and scenic Newburgh safe for its people, people who just want their City back.